

24304. Cheese. (F. D. C. No. 40670. S. Nos. 76-268/9 M.)

QUANTITY: 49 bbls., each bbl. weighing about 250 lbs. and containing a number of 1½-lb. blocks of dry, white, skimmed milk cheese for grating at Boston, Mass.

SHIPPED: 7-9-57 and 8-13-57, from Ellsworth, Maine, by Gloria Cheese Co.

LIBELED: 9-30-57, Dist. Mass.

CHARGE: 402 (a) (3)—contained fly parts; and 402 (a) (4)—prepared under insanitary conditions.

DISPOSITION: 12-9-57. Default—destruction.

24305. Cheese. (F. D. C. No. 40671. S. Nos. 76-268/9 M.)

QUANTITY: 35 bbls., each bbl. weighing approximately 250 lbs. and containing a number of 1½-lb. blocks of dry, white, skimmed milk cheese for grating at Somerville, Mass.

SHIPPED: 7-9-57, from Ellsworth, Maine, by Gloria Cheese Co.

LIBELED: 9-30-57, Dist. Mass.

CHARGE: 402 (a) (3)—contained fly parts; and 402 (a) (4)—prepared under insanitary conditions.

DISPOSITION: 12-9-57. Default—destruction.

EGGS**24306. Frozen eggs.** (F. D. C. No. 40662. S. No. 64-438 M.)

QUANTITY: 105 30-lb. cans at Du Bois, Pa.

SHIPPED: Between 9-4-56 and 10-19-56, by Beaver Meadow Creamery, Inc., from Olean, N. Y.

RESULTS OF INVESTIGATION: The above described shipment consisted of shell eggs which, upon receipt at Du Bois, were broken and packed into cans for freezing. The shell eggs had developed mold while in storage at Olean, N. Y.

LIBELED: 9-30-57, W. Dist. Pa.; amended libel on 10-25-57.

CHARGE: 402 (a) (3)—contained decomposed eggs when shipped.

DISPOSITION: 10-25-57. Default—destruction.

24307. Frozen eggs. (F. D. C. No. 40649. S. No. 78-709 M.)

QUANTITY: 200 30-lb. cans at Brooklyn, N. Y.

SHIPPED: 7-24-57, from Elizabeth, N. J., by Mountainside Butter & Egg Co.

LIBELED: 9-24-57, E. Dist. N. Y.

CHARGE: 402 (a) (3)—contained decomposed eggs when shipped.

DISPOSITION: 2-11-58. Consent—claimed by Manhattan Egg Co., New York, N. Y. Segregated; 163 cans denatured.

24308. Frozen eggs and frozen egg product (3 seizure actions). (F. D. C. Nos. 40637, 40647, 40650. S. Nos. 69-245 M, 78-707/8 M.)

QUANTITY: 205 30-lb. cans of an egg product, and 809 30-lb. cans of frozen eggs at Brooklyn, N. Y.

SHIPPED: Between 8-1-57 and 8-15-57, from Elizabeth, N. J., by Mountainside Butter & Egg Co.

LABEL IN PART: (Lids) "Goldtex * * * Yolks Whites Stabilizing syrup, water gum and salts * * * 30 lbs. Net," "White Eggs packed for Quality Egg Co., 171 Duane Street, New York."

LIBELED: 9-16-57 and 9-24-57, E. Dist. N. Y.

CHARGE: 402 (a) (3)—contained decomposed eggs when shipped.

DISPOSITION: 2-11-58 and 2-14-58. Consent—claimed by Quality Egg Co. Segregated; 828 cans destroyed.

FEEDS AND GRAINS

24309. Poultry feed. (F. D. C. No. 40608. S. Nos. 61-719/20 M.)

INFORMATION FILED: 3-14-58, N. Dist. Ohio, against St. Albans Grain Co., a corporation, Toledo, Ohio.

SHIPPED: 12-20-56, from Ohio to West Virginia.

LABEL IN PART: (Bag) "Wirthmore Grow & Egg Mash * * * Manufactured for Charles M. Cox Co., Boston, Mass." "Wirthmore Hi-Ener-G Breeder A Complete Ration * * * Manufactured for Charles M. Cox Co., Boston, Mass."

CHARGE: 402 (a) (2)—when shipped, the article contained an added deleterious substance, Nicarbazin, which is unsafe within the meaning of 406 (a) since it is a substance not required in the production of the article and can be avoided by good manufacturing practices.

PLEA: Nolo contendere.

DISPOSITION: 3-14-58. \$200 fine.

24310. Alfalfa meal. (F. D. C. No. 40693. S. Nos. 17-549/50 M.)

QUANTITY: 500 50-lb. bags and 700 50-lb. unlabeled bags at Baltimore, Md.

SHIPPED: 8-6-57 and 8-21-57, from Toledo, Ohio, by Cummings & Schooler Co.

LABEL IN PART: (500-bag lot) "Westco Dehydrated Alfalfa Meal 17% * * * 100 Lbs. Net * * * Crude Protein Not less than 17%."

LIBELED: 10-14-57, Dist. Md.

CHARGE: 402 (b) (1)—a valuable constituent, protein, had been in part omitted from the 500-bag lot when shipped; 403 (e) (1)—when shipped, the 700-bag lot failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; 403 (e) (2)—both lots failed to bear a label containing an accurate statement of the quantity of contents, since the 500-bag lot contained less than the declared weight and the 700-bag lot did not bear any label containing a statement of the quantity of contents; and 403 (i) (1)—the 700-bag lot failed to bear a label containing the common or usual name of the article, namely, "17% Dehydrated Alfalfa Meal."

DISPOSITION: 10-24-57. Consent—claimed by Cummings & Schooler Co., and relabeled.

24311. Wettable bone flour with vitamin D₂. (F. D. C. No. 40385. S. No. 56-600 M.)

QUANTITY: 14 cases, 12 1-lb. ctns. each, at St. Paul, Minn.

SHIPPED: 3-27-57, from Kansas City, Mo., by Veterinary Laboratories, Inc.